

**ORDINANCE NO. O-2018-09**

**AN ORDINANCE GRANTING AN AMENDMENT TO THE EXISTING R-3 SINGLE-FAMILY PLANNED UNIT DEVELOPMENT FOR THE WOODLANDS OF WHEATON ON PROPERTY COMMONLY KNOWN AS THE NORTHWEST CORNER OF ORCHARD AND BUTTERFIELD ROADS - DAVIS**

**WHEREAS**, on November 15, 2004, the City of Wheaton, Illinois ("City"), enacted City Ordinance No. F-0978, "AN ORDINANCE AUTHORIZING THE SIGNING OF AN ANNEXATION AGREEMENT - NORTHWEST CORNER OF ORCHARD AND BUTTERFIELD ROADS - SOLARN VENTURES, LLC" ("Original Ordinance") which granted annexation and development of a R-3 single-family planned unit development with three lots serviced by a private cul-de-sac, all on certain property legally described herein as Exhibit "A" within the city limits of Wheaton, Illinois ("City"); and

**WHEREAS**, on May 7, 2012, the City of Wheaton, Illinois, ("City") enacted City Ordinance No. F-1638, "AN ORDINANCE AUTHORIZING THE SIGNING OF A FIRST AMENDMENT TO AN ANNEXATION AGREEMENT - NORTHWEST CORNER OF ORCHARD AND BUTTERFIELD ROADS - SOLARN VENTURES, LLC (WOODLANDS OF WHEATON)" ("First Amended Ordinance") which granted approval of an amendment to the existing R-3 single-family planned unit development to reduce the number of single-family lots from three to two with individual driveways; and

**WHEREAS**, following the enactment of the Original Ordinance and the First Amended Ordinance, the annexation agreement for the subject property expired on November 15, 2014 and a further amendment to the existing R-3 single-family planned unit development has been submitted to allow for the resubdivision of the property from two single-family lots into four single-family lots and the replacement of the two individual driveways with a cul-de-sac; and

**WHEREAS**, pursuant to notice as required by the Illinois Municipal Code and the Wheaton Zoning Ordinance, a public hearing was conducted by the Wheaton Planning and Zoning Board on December 12, 2017 and January 9, 2018 to consider the PUD Amendment; and the Planning and Zoning Board has recommended approval of the PUD Amendment.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Wheaton, Du Page County, Illinois, pursuant to its home rule powers, as follows:

**Section 1:** Pursuant to the Findings of Fact made and determined by the Planning and Zoning Board, an amendment to the existing R-3 single-family planned unit development for the Woodlands of Wheaton Subdivision is granted and the Preliminary Plat of Davis's 2<sup>nd</sup> Resubdivision, prepared by Thomas Whitt and Associates, Geneva, IL, sheet 1, dated July 22, 2017, is hereby approved to allow for the resubdivision of the property from two single-family lots into four single-family lots and the replacement of the two individual driveways with a cul-de-sac in substantial compliance with the plans entitled "Final Engineering Plans for Shiloh Manor Resubdivision of Woodlands of Wheaton, Wheaton, IL", prepared by OSEH, Inc., Oak Park, IL, sheets 1-6, dated September 16, 2017, subject to the plans being revised to comply with the following mandatory conditions and requirements:

1. The proposed cul-de-sac shall be constructed as a publicly dedicated street in full compliance with all City standards.
2. No landscaped or decorative island shall be permitted within the proposed cul-de-sac bulb.
3. No gate shall be constructed at the cul-de-sac entrance to Orchard Road.

4. The minimum building setback of proposed Lot 4 off Orchard Road shall be 30 feet.

**Section 2:** In all other respects, the terms, conditions and provisions of the original and amended ordinances are ratified and remain in full force and effect.

**Section 3:** All ordinances or parts of ordinances in conflict with these provisions are repealed.

**Section 4:** This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Roll Call Vote

Ayes: Councilwoman Fitch  
Mayor Gresk  
Councilman Scalzo  
Councilman Barbier

Nays: None

Absent: Councilman Prendiville  
Councilman Rutledge  
Councilman Sues

Motion Carried Unanimously

Passed: February 20, 2018

Published: February 21, 21, 2018

**EXHIBIT "A"**

LOTS 1 AND 2 IN STANYA'S RESUBDIVISION, BEING A RESUBDIVISION OF LOTS 1, 2, AND 3 OF THE WOODLANDS OF WHEATON SUBDIVISION RECORDED FEBRUARY 27, 2007 AS DOCUMENT R2007-035573 BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED FEBRUARY 22, 2013 AS DOCUMENT NUMBER R2013-028735 IN DUPAGE COUNTY, ILLINOIS.

P.I.N. 05-29-306-018; -019

The subject property is commonly known as the Northwest Corner of Orchard and Butterfield Roads, Wheaton, IL 60189.

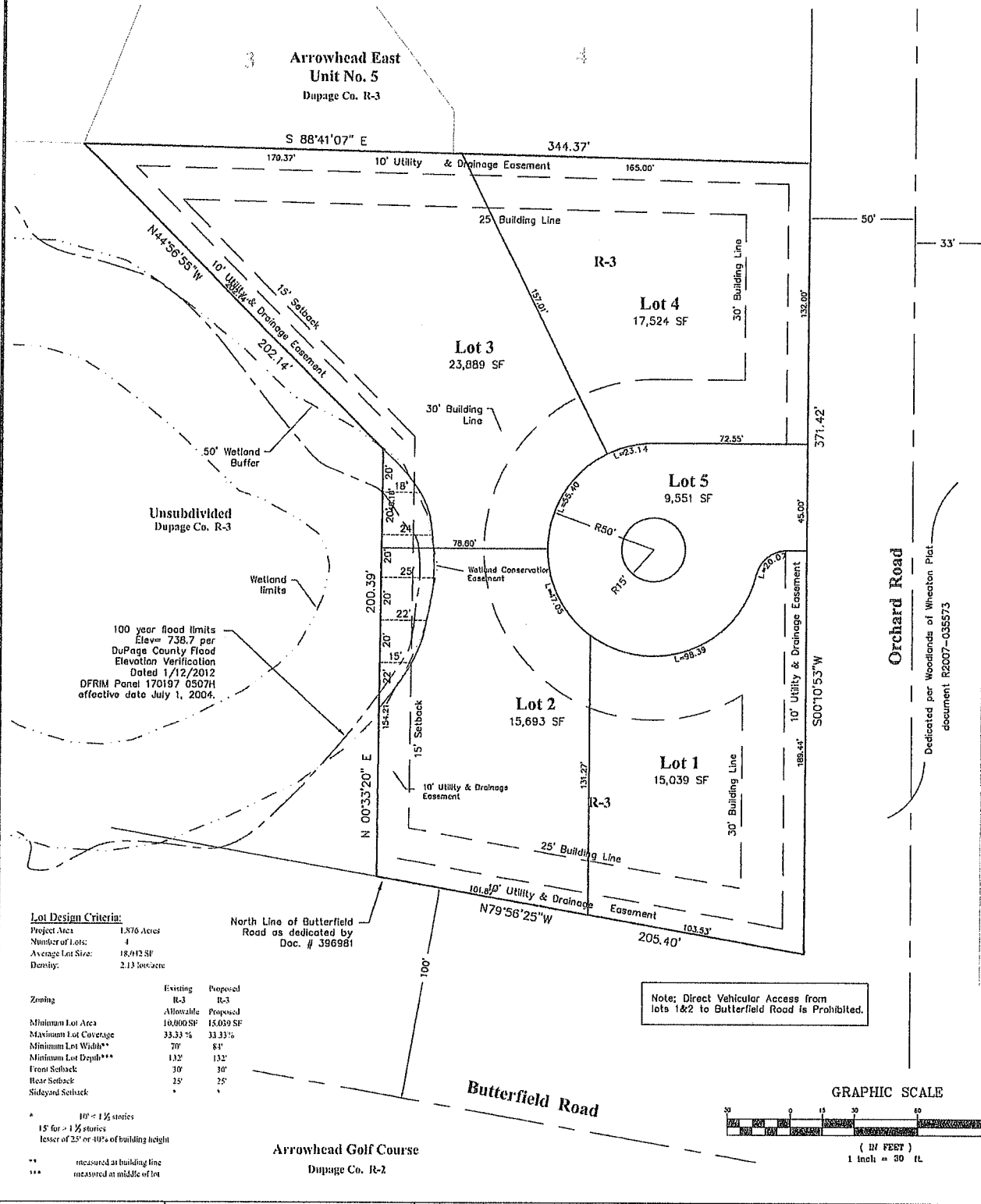


# PRELIMINARY PLAT

## Davis's 2nd Resubdivision

P.I.N. 05-29-306-018  
05-29-306-019

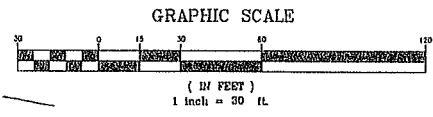
being a resubdivision of Lot 1 and 2 in Stanya's Resubdivision, being a resubdivision of Lots 1, 2 and 3 of the Woodlands of Wheaton Subdivision recorded February 27, 2007 as document number R2007-035573 being a subdivision of part of the Southwest Quarter of the Southwest Quarter of Section 29, Township 39 North, Range 10 East of the Third Principal Meridian, according to the plat of said resubdivision recorded February 22, 2013 as document number R2013-028735 in DuPage County, Illinois.



**Lot Design Criteria:**  
 Project Area: 1.876 Acres  
 Number of Lots: 4  
 Average Lot Size: 18,913 SF  
 Density: 2.13 lots/acre

Zoning	Existing	Proposed
	R-3	R-3
Minimum Lot Area	10,000 SF	15,039 SF
Maximum Lot Coverage	33.33 %	33.33 %
Minimum Lot Width*	70'	81'
Minimum Lot Depth**	132'	132'
Front Setback	30'	30'
Rear Setback	25'	25'
Sideways Setback	*	*

\* 10' for 1 1/2 stories  
 15' for > 1 1/2 stories  
 Lesser of 25' or 40% of building height  
 \*\* measured at building line  
 \*\*\* measured at middle of lot



Prepared For:	Prepared By:	No.	Date	Description	No.	Date	Description
Stanya Holdings LLC 703 Childs Street Wheaton, IL 60187 630-462-0230	Thomas Whitt & Associates, L.Td. 3604 Ridge Pointe Drive Geneva, IL 60134 630-621-5446 twit0593@sbeglobal.net						
Preliminary Plat							
Davis's 2nd Resubdivision Wheaton, Illinois							
File Name:						Dated: 7-23-17	
DSGN BY: FCW						Job No:	
DRN BY: RCU						Scale: 1"=30'	
Sheet # 1 of							















